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SUBJECT: AMBASSADOR DISCUSSES GOAJ HUMAN RIGHTS ACTION PLAN  
WITH OMBUDSWOMAN ELMIRA SULEYMANOVA

Classified By: A/DCM Jonathan Henick per 1.4 (b,d).

**¶11. (C) SUMMARY:** During a July 2 call on GOAJ Human Rights Ombudswoman Elmira Suleymanova, the Ambassador conveyed the Embassy's suggestions on the GOAJ's human rights action plan, urging the GOAJ to create issue-specific working groups and adopt concrete, measurable goals. Suleymanova said she welcomed U.S. views, and briefed the Ambassador on implementation of the plan, which has focused on: improving legislation; cooperating with international human rights organizations; protecting the rights of different social groups, such as children and minorities; improving the GOAJ's efforts to protect human rights; and human rights education and research. Noting U.S. concern on the deteriorating media freedom situation, the Ambassador pressed the Ombudswoman to engage more actively on media issues, including visiting the imprisoned journalists and urging the GOAJ to rigorously investigate cases of physical attacks on journalists. The Ambassador inquired about Suleymanova's efforts regarding detained former Minister of Economic Development Farhad Aliyev's detention, to which Suleymanova replied that she had visited him, and then referred the matter to the Prosecutor General's Office. END SUMMARY.

#### HUMAN RIGHTS ACTION PLAN

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**¶12. (C)** In a July 2 call on GOAJ Human Rights Ombudswoman Elmira Suleymanova, the Ambassador highlighted the priorities in the bilateral relationship: global security and the War on Terror; energy security; and democratization through political and economic reform. She briefed Suleymanova on the high-level bilateral democracy and human rights dialogue, and outlined the five key pillars of democracy, noting that the U.S. is actively engaged in Azerbaijan in each of these areas diplomatically and programatically: rule of law; political process; respect for human rights; media freedom; and an engaged, empowered, educated citizenry. The Ambassador said that the GOAJ's Human Rights Action Plan, made public by Presidential decree on December 28, 2006, is an important development in the GOAJ's efforts to promote respect for human rights. She noted that Presidential Chief of Staff Ramiz Mehdiyev invited the U.S. to further engage with the GOAJ on the action plan, and had said that Suleymanova would be the point person in the plan's implementation.

**¶13. (C)** Pointing out that the action plan is very broad and should be more specific, the Ambassador recommended that the GOAJ create small working groups on specific topics, in which the international community and civil society should also be included. Suggested topics included: media freedom; freedom of assembly; religious freedom; electoral reform; judicial reform; police reform; prison reform; economic reform; minorities' rights; women's and children's rights;

cooperation with civil society; and civic education. The Ambassador told Suleymanova that the international community has already organized its own working groups on some of the aforementioned topics, including legal reform and trafficking in persons, which could offer guidance to the GOAJ's working groups. In addition to the creation of small working groups, the Ambassador recommended that these groups develop specific, measurable objectives to implement the action plan's overarching goals and noted that it was important for the GOAJ to publish a periodic report on its progress in implementing the action plan. Further, she committed to encourage the international community to pledge technical assistance to support implementation of the Action Plan.

¶4. (C) The Ombudswoman said she was pleased to hear the Embassy's recommendations for implementation of the action plan. She confirmed that her office would be responsible for implementing the plan, and noted that developing such a plan had been her idea in the first place, although the President's office wrote some of it. Suleymanova briefed the Ambassador on her work, noting that although the office of the Ombudsman is independent, it reports annually to Parliament. In the five years she has already served of her seven-year term, Suleymanova said she has traveled through the regions to conduct conferences, published and reprinted many books and pamphlets on human rights, and pursued cooperation with international organizations, including Ombudsmen from other countries. She has organized discussions including GOAJ representatives, international organizations, NGOs, and media representatives, focusing on topics like children's rights, soldier's rights, torture, and corruption. While trying to integrate her staff into GOAJ structures to act as advisors, Suleymanova said that she "works with the government, not for the government." The Ambassador noted that independence of the office is critical.

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¶5. (C) Suleymanova said that her office has already begun implementation of the action plan. She said she had planned to create working groups from the relevant GOAJ bodies but that these groups would be centered on the phases outlined in the action plan: improving legislation; cooperating with international human rights organizations; protecting the rights of different social groups, such as children and minorities; improving the GOAJ's efforts to protect human rights; and human rights education and research. Suleymanova said that NGOs will be included in the groups as well, and noted that her office has already been in contact with Aydin Karimov, the head of an independent legal-scientific NGO, to explore possible coordination.

MEDIA FREEDOM

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¶6. (C) The Ambassador raised U.S. concerns with Azerbaijan's deteriorating media freedom situation, urging Suleymanova to raise the cases of violence committed against journalists in her dialogue with the GOAJ. Suleymanova said that representatives from her office have visited the jailed journalists, and that she has raised her concerns in letters to the Prosecutor General's Office. She also said that she has sent a letter to the Ministry of Internal Affairs, urging the Ministry to investigate the cases of violence against journalists. Referring to the volume of libel cases against journalists, Suleymanova said that the main problem is explaining to Azerbaijanis where one person's rights end and another's begin.

FARHAD ALIYEV

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¶7. (C) Noting the importance of fair and transparent conduct of trials, the Ambassador conveyed our concern that jailed former Minister of Economic Development Farhad Aliyev's family has not been permitted to visit him in prison. The

Ombudswoman said that she has met with Aliyev several times to discuss his rights. She also said that she has raised her concerns regarding his family's visitation rights in a letter to the Prosecutor General. The Ambassador said she understands that the Ombudswoman's role is not to interfere in the investigation process, but that everyone has the right to a fair and free trial in accordance with due process.

COMMENT

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¶ 8. (C) The Ombudswoman has a very negative reputation among Azerbaijan's human rights activists, who believe that she is working directly for the GOAJ, and that she is not active enough. In meetings, Suleymanova is cordial but quick to interrupt, change the topic, or obfuscate when pressed on hard issues. Although the GOAJ's Human Rights Action Plan is quite broad, we believe that we can work with the GOAJ to improve and implement it, and Suleymanova seems to have the right attitude in approaching it. We will continue to engage with the Ombudswoman on our human rights concerns, and on implementation of the action plan.

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